

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

FILED - GR

June 2, 2016 12:14 PM
CLERK OF COURTU.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: mkc SCANNED BY: [signature]Bernard C. Carter #23637

(Enter above the full names of all plaintiffs, including prisoner number, in this action.)

v. Geo Corp, Warden Ralph Cherry, chief of security
Mr. Naidow, Theresa Belahout, North Lake Corr.
Facility medical department

(Enter above the full name of the defendant or defendants in this action.)

1:16-cv-667

Robert Holmes Bell - U.S. District Judge
Phillip J. Green - U.S. Magistrate JudgeCOMPLAINT

I. Previous Lawsuits

CAUTION: The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in this and other federal courts without prepayment of the civil action filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$400.00 filing fee regardless of whether your complaint is dismissed.

- A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes ☒ No ☐
- B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.

1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.

Kentucky Federal Court

2. Is the action still pending? Yes ☐ No ☒

a. If your answer was no, state precisely how the action was resolved: I had it dismissed

3. Did you appeal the decision? Yes ☐ No ☒

4. Is the appeal still pending? Yes ☐ No ☒

a. If not pending, what was the decision on appeal? _____

5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes ☐ No ☒

If so, explain: _____

II. Place of Present Confinement North Lake Corr. Facility

If the place of present confinement is not the place you were confined when the occurrence that is subject of instant lawsuit arose, also list the place you were confined:

Lee Adjustment Center Beattyville, Ky.

III. Parties

A. Plaintiff(s)

Place your name in the first blank and your present address in the second blank. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Bernard Carter #23677

Address North Lake Corr. Facility 1805 W 32nd St. Baldwin, Mich 49304

B. Defendant(s)

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. If there are more than four defendants, provide the same information for each additional defendant. Attach extra sheets as necessary.

Name of Defendant #1 Geo Group Inc.

Position or Title Private Prison

Place of Employment Boca Raton, Fla

Address 621 NW 53rd St. Boca Raton, Fla 33487

Official and/or personal capacity? official and personal

Name of Defendant #2 MR. Ralph Cherry

Position or Title Warden

Place of Employment North Lake Corr. Facility

Address 1805 W 32nd St. Baldwin, Mich 49304

Official and/or personal capacity? official and personal

Name of Defendant #3 MR. Maidow

Position or Title Chief of Security

Place of Employment North Lake Corr. Facility

Address 1805 W 32nd St. Baldwin, Mich 49304

Official and/or personal capacity? official and personal

Name of Defendant #4 Theresa Delahanty

Position or Title IX Nurse at NLCCF

Place of Employment N/A was North Lake Corr. Facility

Address N/A

Official and/or personal capacity? official and personal

Name of Defendant #5 Medical Department at North Lake Corr. Facility

Position or Title medical

Place of Employment North Lake Corr. Facility

Address 1805 W 32nd St. Baldwin, Mich 49304

Official and/or personal capacity? official and personal

In about Aug. 2015, she would make sexual comments to me that made me feel uncomfortable.

I told her I didn't want her to speak to me like that and she said that she wasn't going to stop. She would tell me how she could see my penis through my shorts, that she wanted to give me oral sex. That she wanted me to masturbate and she wanted to play with my semen. She would tell me how she wanted me to have sex with her. Then it got to where she would be touching me in ways that she shouldn't have and it made me feel uncomfortable. I was scared to tell anybody, I was in a high security unit and she would come there and call me out, call me to medical at times 3X's a week. I thought somebody would see what was going on. Many times she had me expose myself to her, have me rub between her legs. On 12-16-15 she called me to medical and wanted me to rub between her legs, she said that was my B-Day present. Her actions have made it where mentally it effected me, emotionally it did. I lost 25lbs in less than 3 months.

The Complaint

I, Bernard Carter, is stating the following as true.

I am a vermont inmate being housed at a GEO Private Prison in Baldwin, Mich. I was transferred here on 6/24/15

Facts

- ① GEO is a private prison which is responsible for the actions of there staff that they hire.
- ② Warden Cherry, is responsible for the operation of the facility. That he is the warden and responsible for the action of the staff at the facility. He is the over seer and what happens here he is responsible.
- ③ Chief of Security Nardow, is responsible for the training and to make sure that the inmates are protected at the facility. He retaliated against me by keeping me in seg. longer than I should have as well as make a comment to me, that was not proper.
- ④ Nurse Bitchoup, she sexually harassed me.

she violated my rights by the PRPA Act. As well as she falsified a statement. She got fired for her actions against me.

- ⑤ The medical department is responsible because the neglect from not realizing that she was calling down to medical all of the times, they should have realized what was going on. They were and are responsible for her actions. I feel they retaliated against me, because I put in numerous med slips to see the psych doctor and ~~that~~ took their time.

Bernard Carter

Paul Carter

IV. Statement of Claim

State here the **facts** of your case. Describe how each defendant is personally involved. Include also the names of other persons involved, dates and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets if necessary.

Attached separately on lined paper

V. Relief

State briefly and precisely what you want the court to do for you.

- ① Award Plaintiff \$150,000. for mental distress and PLEA
- ② Remove Plaintiff from North Lake Corp. facility, pending the lawsuit, so there is no more retaliation.
- ③ Have defendants give all documents and video pertaining to this lawsuit
- ④ Set a trial date

5/30/16
Date


Signature of Plaintiff

NOTICE TO PLAINTIFF(S)

The failure of a *pro se* litigant to keep the court apprised of an address change may be considered cause for dismissal.

Bernard Carter #23637
WLCP
1805 W 32nd St.
Baldwin, Mich
49304

Legal
Mail

US District Court
399 Federal Building
110 Michigan St., NW
Grand Rapids, MI
49503



Legal
Mail